

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. James Byrge is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, James Byrge is adjudged guilty of Count One in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

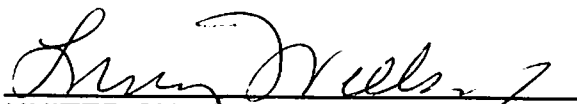
Sentencing will be:

15 January 2013 at 11:00 a.m.

**Courtroom 16B
16th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated: 23 October 2012


UNITED STATES DISTRICT JUDGE